

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/862,727

REMARKS

Applicant requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 112, second paragraph, in view of the above corrective amendments to claims 1, 3 and 20.

Applicant notes the allowability of claims 42 and 43 if they are amended to overcome the rejection under 35 U.S.C. § 112, second paragraph, and rewritten in independent form; however, Applicant respectfully requests the Examiner to hold in abeyance the rewriting of these claims until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejections of claims 1-41 and 44.

Both of the rejections under 35 U.S.C. § 103(a) rely on JP '088 which has a publication date of **April 21, 2000** which is **less than one year** prior to Applicant's Japanese priority date of **May 30, 2000**. **Therefore, JP '088 is available as a reference under only 35 U.S.C. § 102(a)**. Furthermore, the listed inventors in JP '088 are **identical** to the listed inventors in the present application, and Applicant makes the unequivocal statement that the disclosure of JP '088 is the work/invention of the four listed inventors of the present application. Thus, since the disclosure of JP '088 is not that "of others", as required by 35 U.S.C. § 102(a), JP '088 is **disqualified** as a reference against the present application. See MPEP §716.10, "Example 1" on page 700-229.

The counterpart U.S. Patent 6,462,907 was granted on October 8, 2002 (with a filing date of August 6, 1999) but also is disqualified as a reference under 35 U.S.C. § 102(e) because it also lists the same four said inventors (i.e., is not the work of "another"), and it also is assigned to

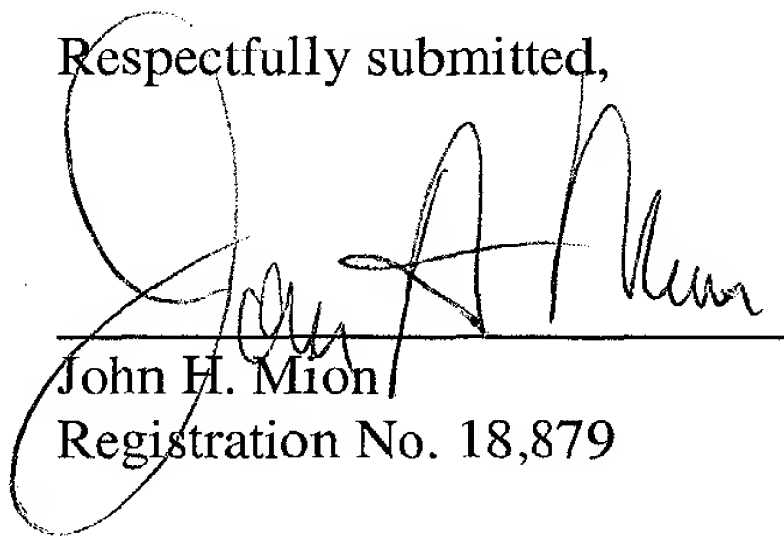
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Hitachi Metals Ltd., the assignee of the present application. (A copy of the title page of US '907 is enclosed for the Examiner's information.)

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw all the rejections, and to find the application to be in condition for allowance with claims 1-44; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. (Amended) A thin type permanent magnet generator that can be incorporated in a diskette, comprising:

a disc-shaped rotor having a soft magnetic disc-shaped hub that is rotatable around a rotational axis, and a flat ring-shaped permanent magnet concentrically fitted to an end of the hub; the permanent magnet axially magnetized in such a manner as to have a plurality of magnetic poles of alternately different polarities in the circumferential direction on each end face thereof; the magnetic poles on one end face of the permanent magnet being magnetically short-circuited with the hub, and the magnetic poles on the other end face serving as rotor magnetic poles, and

a stator having a plurality of magnetic pole teeth having on an end thereof a plurality of stator magnetic poles that can face the rotor magnetic poles at the same pole intervals via an axial gap and extending radially outward from the stator magnetic poles; the magnetic pole teeth connected at the other end to each other by a soft magnetic yoke and having coils wound on the intermediate portions thereof;

the ratio of generator thickness/diagonal length of generator end face being not more than 6 %.

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3. (Amended) A thin type permanent magnet generator as set forth in Claim 2, wherein an end of each of the stator magnetic poles on the side facing the rotor magnetic poles protrudes not less than 0.3 mm radially inward to the central opening of the permanent magnet.

20. (Amended) A diskette incorporating a thin type permanent magnet generator comprising

a diskette case of a floppy magnetic disc shape,

a disc-shaped rotor having a soft magnetic disc-shaped hub provided inside the diskette and caused to rotate around a rotational axis by an external drive mechanism, and a flat ring-shaped permanent magnet concentrically fitted to an end face of the hub; the permanent magnet being axially magnetized so as to have a plurality of magnetic poles of alternately different polarities in the circumferential direction on each end face thereof; and the magnetic poles on an end face of the permanent magnet being magnetically short-circuited by the hub, and the magnetic poles on the other end face serving as rotor magnetic poles, and

a stator fitted to the diskette case having a plurality of magnetic pole teeth having on an end each of a plurality of stator magnetic poles that can face the rotor magnetic poles at the same pole intervals via an axial gap and extending radially outward from the state magnetic poles; the magnetic pole teeth being connected at the other end to each other by a soft magnetic yoke and having coils wound on the intermediate portions thereof; the ratio of generator thickness/diagonal length on the end face of the generator is not more than 6 %.